

REMARKS

Claims 13-27 are pending in this application. Claims 13, 26, and 27 are the independent claims. Claims 1-12 were previously cancelled. Reconsideration and allowance of the present application are respectfully requested.

Double Patenting Rejection

Claims 13 and 17-27 in view of Patent Application No. 11/902,264 stand provisionally rejected on the ground of nonstatutory, obviousness-type double patenting as being unpatentable over claims 1-14 of copending App. No. 11/902,264, which the Examiner asserts has claims that are conflicting, and the claims are not patentably distinct from each other. This rejection is respectfully traversed.

Applicant expressly abandons Patent Application No. 11/902,264 under 37 CFR §1.138, on even date herewith (see copy of the attached Letter of Express Abandonment). Applicant asserts that this rejection is now moot. Therefore, Applicant respectfully requests that the Examiner withdraw this rejection of the claims.

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CONCLUSION

In view of the above remarks and amendments, Applicant respectfully submits that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By


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